

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

CIVIL ACTION NO. 05-30149

STEVEN J. MALKE  
Plaintiff,

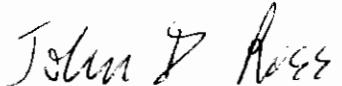
v.

TRANSCONTINENTAL REFRIGERATED LINES, INC.  
Defendants.

**STIPULATION OF DISMISSAL**

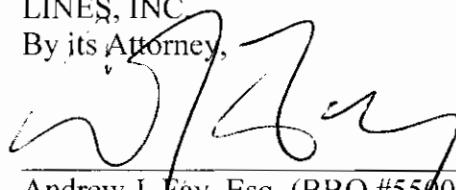
The parties to the above-entitled action, pursuant to Fed. Rule Civ. P. 41(a)(1)(ii), hereby stipulate that the said action be dismissed with prejudice, each party to bear its own costs and all rights of appeal are waived.

STEVEN J. MALKE  
By his Attorney,

  
(A.T.E.)

John D. Ross, III, Esq. (BBO#546211)  
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121 State Street, Suite 201  
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(413) 736-2725

TRANSCONTINENTAL REFRIGERATED  
LINES, INC.  
By its Attorney,



Andrew J. Fay, Esq. (BBO #550058)  
TOBIN, SULLIVAN, FAY & GRUNEBAUM  
60 William Street  
Wellesley, MA 02481  
(781)237-0877

Dated: March 19, 2007

CERTIFICATE OF SERVICE

I, Andrew J. Fay, certify that a true copy of the foregoing document was served via first class mail, postage prepaid, to counsel of record as follows:

John D. Ross, III, Esq.  
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Andrew J. Fay, Esq.

Dated: March 19, 2007